

REISSUE LITIGATION
Docket No.: FNI-01503/03
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
Kinya Washino

Application No.: 09/301,656

Confirmation No.: 5893

Filed: April 28, 1999

Art Unit: 2621

For: VIDEO MONITORING AND
CONFERENCING SYSTEM

Examiner: N. T. Diep

NOTICE OF REISSUE LITIGATION

MS Reissue
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Confirming the phone conference of March 3, 2009 between Examiner Diep and the undersigned, the undersigned attorney has just learned that U.S. Patent 5,625,410, for which reissue is sought in Serial No. 09/301,656, is involved in litigation. The case is Civil Action No.: 2:08-cv-04410 in the U.S. District Court for the District of New Jersey. This firm is not involved in that litigation and our client did not understand that it was important that we be informed of the litigation so we could comply with the submission process set forth in MPEP § 1404. All future papers submitted in this case will be marked appropriately. Following is a summary of the case to present time.

A lawsuit involving U.S. Patent 5,625,410 entitled Multi-Format, Inc. v Harrah's Entertainment, Inc. et al., Civil Action No. 2:08-cv-04410 (SDW)(MCA), was filed September 3, 2008. The original Complaint charged defendants Ballys and Nice Systems with directly infringing one or more claims of the patent, and defendant, Nice Systems with actively inducing others to infringe the patent.

The defendants filed counterclaims and both plaintiffs and defendants have answered the opposing parties' respective claims. There has been no discovery in the case and on, or about March 2, 2009, the plaintiff, Multi-Format, made disclosures under Local Patent Rule 3.1 and 3.2. The disclosure indicated that the plaintiffs are asserting "...at least..." claims 8, 12 and 15 of the patent-in-suit. The disclosure also included claim charts identifying specifically the relationship between the patent claims and the accused products. The applicant will continue to review the litigation and forward to the Patent Office any relevant documents filed.

Dated: 3/4/2009

Respectfully submitted,

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